IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 10TH NOVEMBER 2006 / 19TH KARTHIKA 1928

Bail Appl..No. 6275 of 2006()

CMP.6706/2006 of J.M.F.C.-II, KOLLAM
CRIME NO.579/2006 OF KOTTIYAM POLICE STATION.

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PETITIONER/IST ACCUSED

LALU, S/O.SURENDRAN,
VADAKKEPULIMOOTTIL VEEDU, ARIVALMUKKU,
THAZHATHUCHERRY, MAYYANAD, KOLLAM.

BY ADV. SRI.S.SANTHOSH KUMAR

RESPONDENTS: COMPLAINANT

THE CIRCLE INSPECTOR OF POLICE,
CHATHANNOOR, KOTTIYAM POLICE STATION,
KOLLAM, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6275 of 2006

Dated this the 10th November, 2006.

O R D E R

Petitioner is the first accused in Crime No.579/2006 of Kottiyam Police Station, for the offence punishable under Sections 143, 147, 148, 450, 324, 307, 427, 341, 506(ii) and 120B IPC, read with Section 149 IPC, and also under Section 27 of the Arms Act.

2. When the application came up for consideration, both sides submitted that the petitioner was arrested on 10.10.2006. The granting of bail to the petitioner was opposed by the prosecution, on the ground that he was the leader of the entire operation in the case.

3. However, the learned counsel appearing for the petitioner submitted that the petitioner is suffering from Chickenpox.

4. Considering the duration of judicial detention, and submissions made by either side, I allow this application, grant bail to the petitioner, and release him from jail, subject to the following conditions:-

i) The petitioner shall execute a bond for Rs.20,000/= (Rupees Twenty Thousand only) with two solvent sureties, each for the like sum, to the satisfaction of the Judicial First Class Magistrate Court-II, Kollam.

ii) Immediately on release, the petitioner shall report before the Investigating Officer of Kottiyam police station, and from there, he shall proceed out of the Sessions Division of Kollam.

iii) The petitioner shall not enter the Sessions Division, Kollam, for a period of four months, except for appearing before the court below.

iv) The condition Nos.3, 4, 5 and 6 contained in the order dated 3.11.2006, in B.A.No.6030/2006, shall be applicable to the petitioner, the first accused, in this case as well.

J.M. JAMES,
JUDGE

nj.